

EXHIBIT 5

From: Veronica Schad <vschad@devlinlawfirm.com>
Sent: Wednesday, September 22, 2021 10:59 AM
To: Mao, Lillian J.; Alex Chan; Timothy Devlin
Cc: bshelton; coburn; Frost, Claudia; Vikhyat Kaushal; Jensen, Travis
Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Lilian,

For the reasons outlined in our September 10, 2021 letter and those you mention below, we confirm that Caddo withdraws its infringement allegations regarding the redesigned website for the '880 and '127 patents.

Best,



Veronica Schad

1526 Gilpin Ave, Wilmington, DE 19806
☎ (302) 355-3699 | 📠 (267) 242-1668

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From: Mao, Lillian J. <lmao@orrick.com>
Sent: Monday, September 13, 2021 2:56 PM
To: Veronica Schad <vschad@devlinlawfirm.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>
Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>; Vikhyat Kaushal <vkaushal@devlinlawfirm.com>; Jensen, Travis <tjensen@orrick.com>
Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Veronica,


Thank you for the letter last Friday and today's call regarding Caddo's infringement contentions.

As discussed on the call, we're asking Caddo to confirm in writing that it is withdrawing its infringement allegations regarding the redesigned website for the '880 and '127 patents. All of the asserted independent claims for those two patents recite displaying items "upon provisional selection" of an active link. The specification makes clear that "provisional selection" is synonymous with "rolling over." See '127 Patent, 4:46-50 ("The user browses by 'rolling-over' (provisionally selecting) an element with a pointing device..."). Caddo appears to make identical DOE arguments for both the "provisional selection" and "rolling over" limitations. Compare, e.g., FIC Ex. E at 18-19 with *id.* at 29. Thus, given that Caddo withdrew "its DoE infringement allegations for the 'roll[ed/ing] over' limitations" (9/10/2021 Letter at 7), please confirm it is also withdrawing the DOE allegations for the "provisional selection" limitations.

We will follow up separately by letter regarding the other issue discussed today, which relates to the '301 and '836 patents.

Best,
Lillian

Lillian J. Mao
Senior Associate

Orrick
Silicon Valley 
T +1-650-614-7410
lmao@orrick.com



From: Veronica Schad <vschad@devlinlawfirm.com>
Sent: Thursday, September 2, 2021 7:54 AM
To: Jensen, Travis <tjensen@orrick.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>
Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>; Vikhyat Kaushal <vkaushal@devlinlawfirm.com>; Mao, Lillian J. <lmao@orrick.com>
Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Travis,

Caddo is available to meet and confer next Friday (09/10) from noon-5PM EST. If you are available during these times, please circulate a dial-in.

Best,



Veronica Schad

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From: Jensen, Travis <tjensen@orrick.com>
Sent: Wednesday, September 1, 2021 2:21 PM
To: Veronica Schad <vschad@devlinlawfirm.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>
Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>; Vikhyat Kaushal <vkaushal@devlinlawfirm.com>; Mao, Lillian J. <lmao@orrick.com>
Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Veronica et al.,

Please provide your availability to meet and confer this Friday or on Tuesday and Wednesday of next week. Thanks,
Travis

From: Veronica Schad <vschad@devlinlawfirm.com>

Sent: Wednesday, August 18, 2021 1:22 PM

To: Jensen, Travis <tjensen@orrick.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>

Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>; Vikhyat Kaushal <vkaushal@devlinlawfirm.com>

Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Travis,

Caddo is reviewing Microchip's letter, and disagrees with Microchip's characterizations. Caddo will provide a substantive response shortly.

Best,



Veronica Schad

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From: Jensen, Travis <tjensen@orrick.com>

Sent: Friday, August 13, 2021 1:52 PM

To: Veronica Schad <vschad@devlinlawfirm.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>

Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>; Vikhyat Kaushal <vkaushal@devlinlawfirm.com>

Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Counsel,

Please see the attached correspondence. Thanks, Travis

From: Veronica Schad <vschad@devlinlawfirm.com>

Sent: Thursday, August 5, 2021 10:18 AM

To: Jensen, Travis <tjensen@orrick.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>

Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>; Vikhyat Kaushal <vkaushal@devlinlawfirm.com>

Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Counsel,

Pursuant to our meet and confer last Friday, please see the attached letter.

Best,



Veronica Schad

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From: Veronica Schad

Sent: Tuesday, July 27, 2021 11:58 AM

To: Jensen, Travis <tjensen@orrick.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>

Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>

Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Travis,

We are available for a meet and confer on Friday between 1-4PM CT.

Best,



Veronica Schad

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From: Jensen, Travis <tjensen@orrick.com>

Sent: Monday, July 26, 2021 6:53 PM

To: Veronica Schad <vschad@devlinlawfirm.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>

Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>

Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Hi Veronica,

It has been nearly two weeks since your message below and Caddo has provided no substantive response. Please provide your availability to meet and confer this Thursday and Friday regarding the issues raised in my July 9 letter. Thanks, Travis

From: Veronica Schad <vschad@devlinlawfirm.com>

Sent: Tuesday, July 13, 2021 1:03 PM

To: Jensen, Travis <tjensen@orrick.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>

Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>

Subject: RE: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Travis,

Caddo disagrees with the mischaracterizations in Microchip's letter. We will respond in full shortly.

Best,



Veronica Schad

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From: Jensen, Travis <tjensen@orrick.com>

Sent: Friday, July 9, 2021 11:43 AM

To: Veronica Schad <vschad@devlinlawfirm.com>; Alex Chan <achan@devlinlawfirm.com>; Timothy Devlin <tdevlin@devlinlawfirm.com>


Cc: bshelton <bshelton@sheltoncoburn.com>; coburn <coburn@sheltoncoburn.com>; Frost, Claudia <cfrost@orrick.com>

Subject: Caddo v. Microchip - Plaintiffs Final Infringement Contentions

Counsel,

Please see the attached correspondence regarding Plaintiffs' Final Infringement Contentions in the Microchip case. Thanks, Travis

Travis M. Jensen
Partner, IP Litigation

Orrick
Silicon Valley 
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tjensen@orrick.com



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